

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS**

**TYLER DIVISION**

**DATE: September 7, 2022**

**JUDGE**

K. Nicole Mitchell

**Court Reporter:** Susan Zielie

**Law Clerk:** Brittany Rummel

**Courtroom Deputy:** Lisa Hardwick

<b>EQUAL EMPLOYMENT OPPORTUNITY COMMISSION</b>  <b>V</b>  <b>SDI OF MINEOLA, LLC</b>	<b>CIVIL ACTION NO: 6:21CV226-JCB-KNM</b>  <b>PRETRIAL CONFERENCE</b>
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<b>ATTORNEYS FOR PLAINTIFF</b>	<b>ATTORNEYS FOR DEFENDANTS</b>
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On this day, came the parties by their attorneys and the following proceedings were had:

**OPEN:** 1:35 p.m.

**ADJOURN:** 3:05 p.m.

TIME:	MINUTES:
1:35 p.m.	Case Called: Appearances: Alexa Lang, Brooke Lopez, and Suzanne Anderson f/Plaintiff and Eric Kolder and Chelsea Milam f/Defendant.
	The Court first took up arguments on the Motions in Limine.
1:36 pm	<b>Plaintiff's Motions in Limine.</b>
	Plaintiff's MILs 1-9 were granted as agreed.
	Plaintiff's MIL 10 (Alvin McQuilliams' good character as propensity evidence) argued by Brooke Lopez and Eric Kolder. MIL 10 was granted in part.
1:44 pm	Plaintiff's MIL 11 (Defendants' proposed Exhibit 30 - Tyrell McPherson's typed and signed statement) argued by Brooke Lopez and Eric Kolder. MIL 11 was granted.
	Plaintiff's MIL 12 (defendants' proposed Exhibits 3 and 11-grainy and illegible photographs) MIL 12 was denied.
	Plaintiff's MIL 13 (claimants personal desire for or opinion of potential monetary or injunctive relief) argued by Brooke Lopez and Eric Kolder. MIL 13 was denied.

**DAVID A. O'TOOLE, CLERK**

**FILED: 9/7/2022**

BY: Lisa Hardwick, Courtroom Deputy

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1:50 p.m.	<b>Defendant's Motions in Limine.</b>
	Defendant's MILs 5-8 were granted as agreed.
	Defendant's MIL 1 (references to prior crimes or arrests of Leston Juarez) argued by Eric Kolder and Brooke Lopez. MIL 1 was granted.
1:55 pm	Defendant's MIL 2 (references to Leston Juarez's bad character) argued by Eric Kolder and Brooke Lopez. MIL 2 was carried. Written ruling to be issued.
	Defendant's MIL 3 (references to Leston Juarez's prior romantic and sexual relationships) argued by Eric Kolder and Brooke Lopez. MIL 3 was denied in part.
	Defendant's MIL 4 (references to any subsequent remedial measures) argued by Eric Kolder and Brooke Lopez. MIL 4 was granted in part.
2:09 pm	The Court took a recess to allow the parties to review Judge Barker's Order Regarding Trial Procedures before taking up Exhibit Objections.
2:10 pm	Court Recessed
2:36 p.m.	Court Resumed
	The Court stated she will address any exhibit issues where the parties need guidance at this time. Suzanne Anderson argued an issue with Plaintiff's Exhibit 2. Response by Chelsea Milam. Plaintiff's Exhibit 2 will be stipulated.
2:43 pm	Suzanne Anderson argued the admissibility of Defendant's Exhibits 3 and 11. The exhibits were not pre-admitted. Admissibility will be taken up at trial.
	<p>Suzanne Anderson advised the Court of Plaintiff's Exhibits that were withdrawn or had no objection.</p> <p>Plaintiff's Exhibits 3, 31-32, 37 and 38 are withdrawn.</p> <p>Plaintiff's Exhibits 34-36 will rise and fall with the MILs concerning prior conduct and will not be pre-admitted.</p> <p>Plaintiff's Exhibits 1, 4-30, 39-59 are agreed and will be pre-admitted</p>
2:50 p.m.	<p>The Court took up Defendant's Exhibit Objections.</p> <p>Defendant's Exhibit 30 was not pre-admitted.</p> <p>Defendant's 3 and 11 will have to be authenticated and were not pre-admitted.</p> <p>There were no objections to the remaining exhibits. Defendant's Exhibits 1,2, 4-10, 12-29, and 31 will be pre-admitted as agreed.</p>
2:53 pm	Deposition Designations were not taken up at this time. Counsel will meet and confer.
2:55 pm	Brief discussion of trial procedures and the jury charge. Counsel will meet and confer on issues and objections to a proposed jury charge.
3:05 p.m.	There being nothing further, court was adjourned.